

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 OES-07 EB-08 COME-00 INT-05 IO-14
DLOS-09 CIAE-00 DODE-00 PM-05 H-02 INR-10 L-03
NSAE-00 NSC-05 PA-02 SP-02 SS-15 ICA-20 OMB-01
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P 102151Z MAY 78
FM AMEMBASSY OTTAWA
TO SECSTATE WASHDC PRIORITY 7366
INFO AMCONSUL MONTREAL
ALL OTHER CANADIAN POSTS BY POUCH

UNCLAS SECTION 01 OF 02 OTTAWA 02397

E.O. 11652: N/A
TAGS: EFIS, CA
SUBJECT: TRUDEAU REMARKS IN COMMONS ON INTERIM FISHERY
AGREEMENT PROBLEM

1. 1978 INTERIM FISHERY AGREEMENT WAS SUBJECT OF NUMBER
OF INQUIRIES AGAIN DURING MAY 10 COMMONS QUESTION PERIOD.
MOST SIGNIFICANT EXCHANGE WAS THE FOLLOWING BETWEEN NDP
MEMBER TOMMY DOUGLAS AND PRIME MINISTER TRUDEAU:

2. DOUGLAS: MR. SPEAKER, I WOULD LIKE TO DIRECT A
QUESTION TO THE RT. HON. PRIME MINISTER, ARISING OUT OF
THE HARDSHIP WHICH MAY BE IMPOSED ON BRITISH COLUMBIA
FISHERMEN IF THE BAN WHICH HAS BEEN ISSUED BY THE COURTS
IN THE UNITED STATES WITH RESPECT TO CANADIAN FISHERMEN
FISHING IN AMERICAN COASTAL WATERS IS UPHELD. I WANT
TO ASK THE PRIME MINISTER IF HE WOULD INTERVENE WITH
PRESIDENT CARTER SO THAT IF THE BAN IS UPHELD THAT THE
AMERICAN GOVERNMENT WOULD UNDERTAKE NOT TO ENFORCE THE
BAN UNTIL SUCH TIME AS THE TWO NEGOTIATORS FROM CANADA
AND THE UNITED STATES ARE ABLE TO WORK OUT A TEMPORARY
AGREEMENT PENDING RATIFICATION OF A CANADIAN/AMERICAN
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FISHERIES AGREEMENT.

3. TRUDEAU: MR. SPEAKER, I SHOULD LIKE TO REMIND THE
HONORABLE MEMBER THAT IT IS AS A RESULT OF MY REPRESENTA-
TIONS TO PRESIDENT CARTER A LITTLE MORE THAN A YEAR AGO,
ASSISTED BY THE MINISTER OF FISHERIES, THAT WE OBTAINED
THIS INTERIM AGREEMENT. I SHOULD ALSO LIKE TO REMIND

HIM THAT THE FORM IN WHICH HIS QUESTION IS PUT IS NOT CORRECT IN THE SENSE THAT THERE HAS NOT BEEN A BAN; THERE IS AN INJUNCTION BEFORE THE COURTS NOW, AND AS THE MINISTER OF FISHERIES JUST REMINDED THE HOUSE, THE U.S. ADMINISTRATION ITSELF, THAT IS PRESIDENT CARTER'S ADMINISTRATION, IS FIGHTING AGAINST THIS INJUNCTION. SO SURELY THIS INDICATES THAT PRESIDENT CARTER IS NOT ONLY AWARE OF WHAT CANADA TOLD HIM LAST YEAR THROUGH THE MINISTER AND MYSELF, BUT HE IS FIGHTING TO UPHOLD THE MESSAGE THAT WE BOTH AGREED ON LAST YEAR. AS REGARDS TO THE REST OF THE QUESTION, MR. SPEAKER, YOU WILL RECALL THAT IT'S VERY FORM IS HYPOTHETICAL.

4. DOUGLAS: MR. SPEAKER, IN VIEW OF THE FACT THAT A PROPOSED TEMPORARY AGREEMENT HAS NOT BEEN RATIFIED BY U.S. CONGRESS, THERE IS EVERY LIKELIHOOD THAT THE PROHIBITION ON CANADIAN FISHERMEN WILL BE UPHELD BY THE COURTS. I WANT TO ASK THE PRIME MINISTER THAT IN VIEW OF THE FACT THAT MONDAY, MAY THE 15TH IS THE OPENING OF THE HALIBUT SEASON AND IN VIEW OF THE FACT THAT THE FISHERIES REPRESENTATIVE ON THE PACIFIC COAST HAS ALREADY INFORMED THE B.C. FISHERMEN THAT THEY SHOULD PLAN TO CONTINUE THEIR FISHING OFF THE ALASKA COAST, AND I'M SURE THAT THE PRIME MINISTER RECOGNIZES WHAT COULD HAPPEN IF THERE WERE CONFRONTATION, DOES HE NOT THINK THAT SUFFICIENTLY IMPORTANT TO TAKE IT UP WITH THE

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AMERICAN GOVERNMENT SO THAT WE DO NOT HAVE THE SITUATION OF BRITISH COLUMBIA FISHERMEN BEING INTERCEPTED OFF THE ALASKAN COAST IN THE EVENT THAT THE PROHIBITION AND THE INJUNCTION ARE SUSTAINED IN THE COURSE OF THE NEXT FEW DAYS.

5. TRUDEAU: MR. SPEAKER, I'M AFRAID ONCE AGAIN THAT THE QUESTION INDICATES THAT THE HONORABLE MEMBER IS MISINFORMED; HE SUGGESTS THAT I TAKE SOMETHING UP WITH THE AMERICAN GOVERNMENT. HE KNOWS OR HE SHOULD KNOW THAT THE AMERICAN GOVERNMENT IS ON OUR SIDE ON THIS AND THAT INDEED IT IS BEFORE THE COURTS TO PLEAD OUR SIDE OF THE QUESTION. THEREFORE IT IS OF LITTLE AVAIL TO SUGGEST THAT I TAKE IT UP WITH THE AMERICAN GOVERNMENT. THEY ARE ON OUR SIDE AND THEY ARE ACTING IN A SENSE FOR US. THE HONORABLE MEMBER HAS SUGGESTED THAT THE DIFFICULTY IS THAT THE CONGRESS ITSELF HAS NOT PASSED THIS BILL. BUT THE ADMINISTRATION IS DOING ITS BEST TO GET THE BILL PASSED. I DON'T THINK THE HON. MEMBER WOULD SUGGEST THAT I CAN TELL CONGRESS WHAT IT SHOULD BE DOING, BUT I WOULD NEITHER AGREE WITH THE HON. MEMBER WHEN HE PREDICTS WHAT THE COURTS WILL DECIDE. IF THE COURTS DO

GO AGAINST US, MR. SPEAKER - AND YOU REALIZE THAT WE'RE
IN A HYPOTHESES HERE AND THAT THE QUESTION ONCE AGAIN IS
HYPOTHETICAL - LET ME JUST REMIND THE HON. MEMBER WHAT
OUR GOVERNMENT AND PARTICULARLY THIS MINISTER OF FISHERIES
DID LAST YEAR WHEN WE HAD TO APPLY A LITTLE BIT OF
PRESSURE ON THE AMERICANS: WE BANNED SOME OF THEIR
FISHING IN OUR WATERS. NOW, ONE DOESN'T LIKE TO TALK
LIKE THIS, MR. SPEAKER, BECAUSE WE'RE HOPING THAT THE
CONGRESS WILL SEE WHERE JUSTICE LIES IN THIS, BUT THE HON.
MEMBER IS PERHAPS UNINTENTIONALLY PROVOKING THE GOVERNMENT
INTO MAKING SOME RETALIATORY THREATS BEFORE EVEN THE
CAUSE OF THESE THREATS HAS BECOME EVIDENT. SO I SUGGEST
HIS LINE OF QUESTION IS NOT VERY USEFUL.

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UNCLAS SECTION 02 OF 02 OTTAWA 02397

6. DOUGLAS: MR. SPEAKER, WHAT I'M ASKING THE PRIME
MINISTER TO DO IS TO GET SOME ASSURANCE FROM THE
AMERICAN GOVERNMENT THAT IF BRITISH COLUMBIA FISHERMEN
GO UP NEXT MONDAY TO THE COAST OF ALASKA TO FISH FOR
HALIBUT, THAT THE AMERICAN GOVERNMENT WILL NOT ENFORCE
ANY INJUNCTION THAT MAY HAVE COME INTO EFFECT UNTIL SUCH
TIME AS THE TWO COUNTRIES CAN WORK OUT AN AGREEMENT.
I'M ALSO ASKING THE PRIME MINISTER TO SAY CATEGORICALLY
TO THE AMERICAN GOVERNMENT, NOT ONLY HERE BUT TO PRESIDENT
CARTER, THAT IN THE EVENT THAT CANADIAN FISHERMEN ARE
BARRED FROM AMERICAN WATERS, THAT THE CANADIAN GOVERNMENT
WILL HAVE NO CHOICE BUT TO TAKE A SIMILAR COURSE OF
ACTION WITH RESPECT TO AMERICAN FISHERMEN OPERATING IN
THE COASTAL WATERS OF CANADA.

7. TRUDEAU: WELL THE HON. MEMBER SUGGESTS THAT WE
DON'T MAKE THREATS AND HIS VERY QUESTION ENDS UP WITH
A THREAT TO THE AMERICAN ADMINISTRATION. HE IS ALSO
SUGGESTING THAT I MAKE REPRESENTATIONS TO THEM TO DO
SOMETHING IF THEY SHOULD LOSE THE CASE THEY ARE PLEADING
BEFORE THE COURTS. MR. SPEAKER, THE ADMINISTRATION
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INTENDS TO WIN THE CASE, WHICH IS OUR CASE, AND SO IT
SEEMS VERY, VERY UNPRODUCTIVE FOR ME TO GET THEM TO SAY
NOW TO THE COURTS THAT IF YOU LOSE WE'RE NOT GOING TO DO
CERTAIN THINGS, INCLUDING OBEYING THE INJUNCTION. I JUST
REMINDE THE HON. MEMBER THAT THIS SITUATION DID PREVAIL
LAST YEAR WHEN THIS DANGER EXISTED AND PRESIDENT CARTER
GAVE ME THE PERSONAL ASSURANCE THAT HE WOULD WORK OUT
SOME INTERIM ARRANGEMENT. THE HON. MEMBER'S BEEN TOLD
BY OUR MINISTER OF FISHERIES THAT MR. CUTLER AND
MR. CADIEUX ARE MEETING TOMORROW IN THIS VERY CITY, AND
SURELY IT'S A LITTLE BIT PREMATURE TO TALK ABOUT THREATS
AS THE HON. MEMBER IS DOING.
ENDERS

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